

REMARKS/ARGUMENTS

The final Office Action of February 4, 2009 has been carefully reviewed and these remarks are responsive thereto. Claims 1, 4, 9, 13, 16, 17 and 20 have been amended. Claims 5 and 13 have been cancelled. No new matter has been added. Reconsideration and allowance of the instant application are respectfully requested. Claims 1, 3-4, 6-9, 11-12, 14-17, and 19-28 remain pending.

Rejections Under 35 U.S.C. § 103

Claims 1, 9, 17, 21-23, 25 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,559,548 to Davis, et al. (“Davis”) in view of U.S. Pat. No. 5,960,383 to Fleischer (“Fleischer”). Claims 3-5, 8, 11-13, 16, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Fleischer and further in view of U.S. Pat. No. 6,279,018 to Kudrolli, et al. (“Kudrolli”). Claims 6 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis et al. in view of Fleischer and further in view of U.S. Pat. No. 6,981,217 to Knauft, et al. (“Knauft”). Claims 7 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Davis in view of Fleischer, further in view of Kudrolli, and still further in view of U.S. Pat. No. 6,374,225 to Hejna, Jr. (“Hejna”). Claims 24, 26 and 27 stand rejected under U.S.C. § 103(a) as being unpatentable over Davis in view of Fleischer and further in view of U.S. Pat. No. 6,169,543 to Wehmeyer (“Wehmeyer”). Applicants respectfully traverse these rejections.

Claim 1 was amended to include similar features as included in previously presented dependent claim 5. Amended claim 1 now recites, among other features, “determining a plurality of essential words of the program title,” and “removing an essential word if the number of characters necessary to display the plurality of essential words is greater than the specified number of characters.”

Davis discloses extracting program title data, analyzing program listing data to determine what grid size listings are needed for a program title, and comparing the program title to a stored library of shortened titles to determine if the title has previously been shortened. Davis, col. 17, l. 60 – col. 18, l. 39. Nowhere in Davis is there a teaching or a suggestion of determining a plurality of essential words in a program title or removing an essential word if the number of

characters necessary to display the plurality of essential words is greater than the specified number of characters, as recited in amended claim 1. Fleischer fails to cure the deficiency of Davis. At most, Fleischer describes analyzing a document and identifying the noun phrases within the document which characterize the content of the document. Fleischer, col. 3, ll. 1-5. Fleischer fails to teach or suggest that any of the noun phrases are essential words of the document. Furthermore, Fleischer fails to teach or suggest removing any noun phrases from the document. Accordingly, Fleischer fails to teach or suggest determining a plurality of essential words of the program title and removing an essential word if the number of characters necessary to display the plurality of essential words is greater than the specified number of characters, as recited in amended claim 1.

Kudrolli fails to remedy the deficiencies of both Davis and Fleischer with respect to amended claim 1. The Action points to col. 7, line 61 of Kudrolli to show the claimed feature of “removing an essential word.” At most, col. 7, line 61 of Kudrolli discloses a truncation method for optionally deleting a *title word* in a *personal name text string*. Notably, Kudrolli does not disclose determining that the title word in a personal name text string is essential or even that the title word of a personal name in a personal name text string is essential. Accordingly, Kudrolli fails to teach or suggest determining a plurality of essential words in a program title and removing an essential word if the number of characters necessary to display the plurality of essential words is greater than the specified number of characters, as recited in claim 1. Therefore, claim 1 is allowable over the asserted combination of Davis, Fleischer, and Kudrolli for at least this reason.

Amended claims 9 and 17 include substantially similar features as discussed with respect to claim 1. Accordingly, claims 9 and 17 are patentably distinct over the combination of Davis, Fleischer and Kudrolli for substantially the same reasons as claim 1.

Claims 3-4, 8, 11-12, 16, 19-23, 25, and 28 ultimately depend from claims 1, 9 or 17 and are therefore patentably distinct over the combination of Davis, Fleischer, and Kudrolli for at least the same reasons as their ultimate base claims. Claims 5 and 13 have been cancelled rendering the rejections moot.

Claims 6 and 14 depend from claims 1 and 9, respectively. As discussed above with respect to claims 1 and 9, the combination of Davis, Fleischer and Kudrolli fail to teach or

Appln. No.: 09/997,336
Reply to Office Action of February 4, 2009

suggest all of the features of claims 1 and 9. The addition of Knauft fails to cure the deficiencies of Davis, Fleischer and Kudrolli with respect to claims 1 and 9. Accordingly, claims 6 and 14 are patentably distinct over the combination of Davis, Fleischer, Kudrolli and Knauft.

Claims 7 and 15 depend from claims 1 and 9, respectively. the combination of Davis, Fleischer and Kudrolli fail to teach or suggest all of the features of claims 1 and 9. The addition of Hejna fails to cure the deficiencies of Davis, Fleischer, and Kudrolli with respect to claims 1 and 9. Accordingly, claims 7 and 15 are patentably distinct over the combination of Davis, Fleischer, Kudrolli and Hejna.

Claims 24, 26 and 27 depend from claim 17. As discussed above with respect to claim 17, the combination of Davis, Fleischer and Kudrolli fail to teach all of the features of claim 17. The addition of Wehmeyer fails to cure the deficiencies of Davis, Fleischer and Kudrolli with respect to claim 17. Accordingly, claims 24, 26 and 27 are patentably distinct over the combination of Davis, Fleischer, Kudrolli and Wehmeyer for at least the same reasons as claim 17.

CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: May 4, 2009

By: /Stephanie L. Knapp/
Stephanie L. Knapp
Registration No. 62,473

1100 13th Street, N.W.
Washington, D.C. 20005-4051
Tel: (202) 824-3000
Fax: (202) 824-3001